

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/605,804	MINOGUE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Douglas N. Washburn	2863	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing of 28 October 2003.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 28 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>31 October 2003</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                      | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Prior Art Cited*

1 Quistgaard et al. (US 6,569,101) teaches a handheld ultrasound instrument having enhanced diagnostic. The instrument includes a security mechanism allowing any combination of the diagnostic modes to be enabled by the manufacturer, and later to enable or disable any one or group of the diagnostic modes. The invention also discloses a method for a manufacturer to maintain a database of handheld ultrasound instrument capabilities after the instruments enter the stream of commerce. Quistgaard is silent regarding sending an activation key and a verification script to each of a plurality of in-field device; receiving a report from the verification scripts; and evaluating each report independently, such that a satisfactory report for an in-field device, installs an activation key to activate an option and if a report is unsatisfactory, aborting activation of a device option. Further, Quistgaard is silent regarding receive activation keys uniquely configured to activate options of in-field devices and verification scripts to authenticate a current status of each in-field device.

Vatanen (US 6,711,262) teaches a control procedure for applications stored in a user subscriber identity module (SIM). The SIM contains stored applications that utilize a data communication network by way of a terminal device. A key list comprising one or more application-specific keys is stored in a user's SIM, and a corresponding key list is also stored in an application control server operable to control applications stored in the SIM of multiple users of the network. The application stored in a user SIM is activated and/or closed through the transmission, verification and use of keys stored in the key lists at the SIM and at the application control server. Vatanen is silent in regard to evaluating verification reports independently, such that a satisfactory report for an in-field device, installs an activation key to activate an option and if a report is unsatisfactory, aborting activation of a device option. Further, Vatanen is silent regarding receive activation keys uniquely configured to activate options of in-field devices and verification scripts to authenticate a current status of each in-field device.

***Allowable Subject Matter***

2 Claims 1-25 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 1 recites, in part, "sending each representative activation key and a verification script to each of the in-field devices; receiving a report from each of the verification scripts; and evaluating each report independently, whereby if the report is satisfactory for a corresponding in-field device, the respective activation key is installed in the corresponding in-field device to activate an option and if the report is not satisfactory for a corresponding in-field device, aborting activation of the option for the corresponding in-field device". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 2-11 depend from claim 1.

Claim 12 recites, in part, "send at least one verification script and at least one activation key to each of the plurality of in-field devices, wherein each of the in-field devices is capable of executing the verification script; and independently abort activation of an inactive option if a report indicates that one of the plurality of in-field devices is not in a condition to activate the inactive option". This feature in combination with the remaining claimed structure avoids the prior art of record.

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Claims 13-20 depend from claim 12.

Claim 21 recites, in part, "receive activation keys uniquely configured to activate the options of the in-field devices and verification scripts to authenticate a current status of each of the in-field devices; install one activation key in one of the in-field devices to activate the options in the one in-field device if the current status of the one in-field device is determined to be satisfactory by the centralized facility". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 22-25 depend from claim 21.

It is these limitations, which are not found, taught or suggested in the prior art of record, and are recited in the claimed combination that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

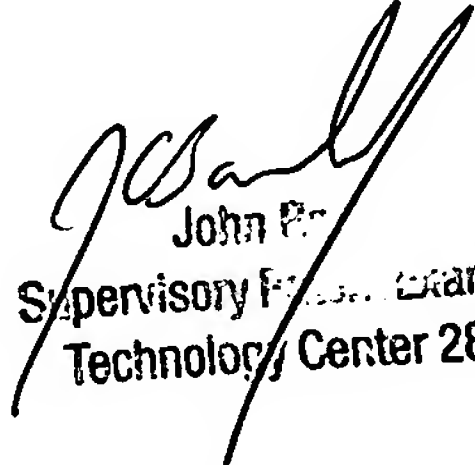
3 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N. Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DNW

  
John P. [unclear]  
Supervisory Patent Examiner  
Technology Center 2800